

## **Regulatory Framework/Next Steps**

The Code of Federal Regulations (CFR) could read something as such:

Livestock (possibly with some exceptions – to be determined) moved interstate must be officially identified (to be defined in the CFR) and must come from a State or Tribe that meets traceability performance standards (to be developed) for that species of livestock.

The CFR would also likely contain provisions, possibly additional restrictions, for interstate movement of livestock from States/Tribes that do not meet the performance for that species of livestock.

The performance standards could be housed in another location (e.g. on a Web site) rather than the CFR. This could give us flexibility to change performance standards over time, if we want to, as we develop additional tracing capabilities. The CFR would set out a process we would use for changing the standards. For example, to ensure transparency and opportunity for public comment, APHIS might publish a notice of availability of revised standards and take comment before finalizing them.

### *Publication Process*

The working group will develop the specifics; the information will be shared for feedback with States and Tribes. APHIS' regulatory staff will prepare the proposed rule, including CFR text and the preamble (the explanation of what USDA is proposing and why).

APHIS economists will prepare an economic analysis (costs/benefits and impacts on producers and others) for the proposal. APHIS will also prepare an analysis of any new information collection and recordkeeping requirements contained in the proposed rule.

The package will undergo legal and policy reviews within USDA and then policy review by the Office of Management and Budget (OMB) (an office at the White House).

The Under Secretary will sign off on the proposal before it is published in the Federal Register.

Once published, there is a 90-day public comment period.

APHIS will analyze comments, and decisions will be made about whether changes to the proposal are needed.

APHIS will draft a final rule, which will be reviewed by legal and policy officials in APHIS and OMB.

The final rule will be signed and published in the Federal Register.

A compliance date could be set for some time later (e.g. 6 or 12 months) to give States/Tribes/producers time to get ready to comply.